

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Justin Stefano	Team: Team # 6	CCRB Case #: 200310059	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Saturday, 12/13/2003 4:45 AM	Location of Incident: W. 20th St	Precinct: 06	18 Mo. SOL 6/13/2005	EO SOL 6/13/2005	
Date/Time CV Reported Tue, 12/16/2003 7:42 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 12/19/2003 12:14 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Timothy Harrington	04695	917095	NAR DIV

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. Nathanie Tauber	13066	927580	103

Officer(s)	Allegation	Investigator Recommendation
A.SGT Timothy Harrington	Discourtesy: SGT Timothy Harrington spoke obscenely and/or rudely to § 87(2)(b)	

## Synopsis

§ 87(2)(b) originally filed a complaint with IAB about an incident that took place in the emergency room of § 87(2)(b) in Manhattan on December 13, 2003 at approximately 4:45am. IAB spun off the complaint to the CCRB on December 19, 2003 and the investigator received the file on December 22, 2003. On December 24 the investigator attempted to call § 87(2)(b) at home and at work. The investigator also sent out a letter requesting that the complainant contact the CCRB as soon as possible. On December 29 the investigator again called § 87(2)(b) who this time was at home. The complainant claims that he was at Club Avalon when he was struck on the head with a glass bottle. He was taken to the ER where he thought he saw the man who had hit him. The individual was speaking with police officers whom § 87(2)(b) assumed had arrested him. § 87(2)(b) approached the officers and said “is this the guy?” The officers became very annoyed and one officer, SGT Timothy Harrington, said to § 87(2)(b) “what are you talking about.” § 87(2)(b) assumed that they did not want the man and himself near each other. § 87(2)(b)'s friend then went over to speak to the officers. He came back and told § 87(2)(b) that the officers and the man must know each other. Since the man was young, § 87(2)(b) thought that SGT Harrington was the man's uncle and that officers were trying to cover up the assault. § 87(2)(b) kept approaching the officers and the man to ask them what was going on. § 87(2)(b) who was annoyed that the officers were not arresting the man, then called 911 who informed him that the man was a detective. § 87(2)(b) did not believe 911 so he requested that officers respond. When no officers showed up, § 87(2)(b) called back and found out that SGT. Harrington had called off the response. SGT. Harrington was rude and arrogant and kept cursing at § 87(2)(b) and his friend. It turned out that the individual who § 87(2)(b) thought had hit him at the club was in fact a detective. § 87(2)(b) further stated to the investigator that the club was dark and hectic and this individual probably was not the man who hit him. § 87(2)(b)'s complaint is that SGT Harrington was discourteous. At the conclusion of this phone conversation the investigator and § 87(2)(b) scheduled an interview at the CCRB on January 8, 2004 at 4:00pm. § 87(2)(b) missed his appointment scheduled for January 8, 2004. He never called to cancel. The investigator called him at 4:30pm on January 8, to make sure he was coming. A woman who did not speak English answered the phone. The investigator then sent § 87(2)(b) a missed appointment letter. The investigator called § 87(2)(b) again on the 15<sup>th</sup> of January. His mother answered the phone and informed the investigator that § 87(2)(b) was sleeping and would have to call back. At 11:03am on the 15<sup>th</sup> of January, § 87(2)(b) called back and rescheduled his interview for Wednesday the 21<sup>st</sup> of January at 7:00pm. § 87(2)(b) missed this appointment as well. He never called to inform the investigator that he would be absent. § 87(2)(g)

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: